

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Ralph Louis Luick Sr.**  
Debtor(s)

Bankruptcy Case No.: 19-22989-GLT  
Issued Per 10/22/2020 Proceeding  
Chapter: 13  
Docket No.: 64 – 21  
Concil. Conf.: October 22, 2020 at 01:30 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 23, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,604.00 as of November, 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Oct. 22, 2020 at 01:30 PM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 9–2 of Bayview Loan Servicing with payment changes implemented, Claim No. 3–3 of IRS, Atlas Acquisitions Claim No. 4 at 0% and PA Revenue Claim No. 2 .
- ☒ H. Additional Terms: Claim No. 8 of CVI SGP– CO Acquisition Trust paid per stipulated order of 7/2/20 at Docket No. 55.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge  
United States Bankruptcy Court

Dated: October 26, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:  
Ralph Louis Luick, Sr.  
Debtor(s)

Case No. 19-22989-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Oct 26, 2020

User: dbas  
Form ID: 149

Page 1 of 3  
Total Noticed: 30

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 28, 2020:

Recip ID	Recipient Name and Address
db	+ Ralph Louis Luick, Sr., 1287 Route 68, Rochester, PA 15074-2702
15095797	+ Allegheny Health Network, P.O. Box 645266, Pittsburgh, PA 15264-5250
15125631	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15095804	+ Collection Service Center, Inc., Attn: Bankruptcy, Po Box 560, New Kensington, PA 15068-0560
15301910	+ Community Loan Servicing, LLC, 4425 Ponce De Leon Blvd., 5th Floor, Coral Gable, FL 33146-1873
15095805	+ Eastern Revenue Inc, Attn: Bankruptcy Dept., 601 Dresher Rd. Suite 301, Horsham, PA 19044-2238
15095806	+ Fleet Services of America, Mag. District 36-2-02, 175 Friendship Circle, Beaver, PA 15009-1395
15095807	+ Genesis Medical Assoc., 8150 Perry Highway, Pittsburgh, PA 15237-5232
15095811	+ Nationwide Recovery, 501 Shelley Dr Ste 300, Tyler, TX 75701-9553
15095813	Pettit, Spontak & Mihok, BNY Mellon Center, Suite 2900, Pittsburgh, PA 15212
15095814	Resurgent, Care Of Resurgent Capital Serv, Greenville, SC 29602
15095815	+ Spirit Shop, P.O. Box 535816, Grand Prairie, TX 75053-5816
15095817	+ UPMC, P.O. Box 371472, Pittsburgh, PA 15250-7472
15095816	+ United Rev, Po Box 1184, Langhorne, PA 19047-6184

TOTAL: 14

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: kborkley@bernsteinlaw.com	Oct 27 2020 01:52:00	Duquesne Light Company, c/o Bernstein-Borkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 27 2020 02:02:56	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15133531	Email/Text: ally@ebn.phinsolutions.com	Oct 27 2020 01:50:00	Ally Bank, PO Box 130424, Roseville MN 55113-0004
15095799	+ Email/Text: ally@ebn.phinsolutions.com	Oct 27 2020 01:50:00	Ally Financial, Attn: Bankruptcy Dept, Po Box 380901, Bloomington, MN 55438-0901
15133529	Email/Text: ally@ebn.phinsolutions.com	Oct 27 2020 01:50:00	Ally Financial, PO Box 130424, Roseville MN 55113-0004
15116833	+ Email/Text: bnc@atlasacq.com	Oct 27 2020 01:51:00	Atlas Acquisitions LLC, 294 Union St., Hackensack, NJ 07601-4303
15095801	+ Email/Text: bkmailbayview@bayviewloanservicing.com	Oct 27 2020 01:52:00	Bayview Financial Loan, Attn: Bankruptcy Dept, 4425 Ponce De Leon Blvd. 5th Floor, Coral Gables, FL 33146-1873
15136488	+ Email/Text: bkmailbayview@bayviewloanservicing.com	Oct 27 2020 01:52:00	Bayview Loan Servicing, LLC, 4425 Ponce de Leon Blvd, 5th Floor, Coral Gables, FL 33146-1873
15136417	+ Email/PDF: resurgentbknofications@resurgent.com	Oct 27 2020 02:02:58	CVI SGP-CO Acquisition Trust, c/o Resurgent Capital Services, P O Box 10587, Greenville, SC

District/off: 0315-2

User: dbas

Page 2 of 3

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15095802	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 27 2020 02:05:09	29603-0587 Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15104167	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 27 2020 02:01:16	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15095808	Email/Text: sbse.cio.bnc.mail@irs.gov	Oct 27 2020 01:51:00	IRS, P.O. Box 7346, Philadelphia, PA 19101-7346
15095809	+ Email/Text: PBNCNotifications@peritusservices.com	Oct 27 2020 01:51:00	Kohls/Capital One, Kohls Credit, Po Box 3120, Milwaukee, WI 53201-3120
15095812	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Oct 27 2020 01:51:00	PA Dept. of Revenue, Bureau of Compliance, Dept. 280946, Harrisburg, PA 17128-0001
15105633	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Oct 27 2020 01:51:00	Pennsylvania Department of Revenue, Bankruptcy Division PO BOX 280946, Harrisburg, PA 17128-0946
15097449	+ Email/PDF: gecsed@recoverycorp.com	Oct 27 2020 02:02:52	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 16

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		BAYVIEW LOAN SERVICING, LLC
cr		Community Loan Servicing, LLC
cr		Resurgent Capital Services, LP, d/b/a CVI SGP-CO A
15095810		Melanie Ann Stemler
cr	*+	Atlas Acquisitions LLC, 294 Union St., Hackensack, NJ 07601-4303
15095800	*+	Ally Financial, Attn: Bankruptcy Dept, Po Box 380901, Bloomington, MN 55438-0901
15123844	*+	Atlas Acquisitions LLC, 294 Union St., Hackensack, NJ 07601-4303
15095803	*+	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15095798	##+	Allied Interstate, P.O. Box 361445, Columbus, OH 43236-1445

TOTAL: 4 Undeliverable, 4 Duplicate, 1 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 28, 2020

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 26, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor BAYVIEW LOAN SERVICING LLC bnicholas@kmlawgroup.com

District/off: 0315-2

User: dbas

Page 3 of 3

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Garry Alan Masterson

on behalf of Creditor Resurgent Capital Services LP, d/b/a CVI SGP-CO Acquisition Trust pitecf@weltman.com

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Robert B. Marcus

on behalf of Debtor Ralph Louis Luick Sr. attnyrobmarcus@yahoo.com

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

TOTAL: 6